

1  
2 BILL NO. Z-95-04-15

3 ZONING MAP ORDINANCE NO. Z-01-95.

4 AN ORDINANCE amending the City of  
5 Fort Wayne Zoning Map No. N-22.


6 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT  
7 WAYNE, INDIANA:

8  
9 SECTION 1. That the area described as follows is hereby designated an R-1  
10 (Single Family Residential) District under the terms of Chapter 157 Title XV of the Code  
11 of the City of Fort Wayne, Indiana of 1974:

12 Lot Number 44 in Riverside Second Addition to the City of Fort Wayne, Indiana,  
13 together with Lot #45 and all that part of Lot #46 lying Westerly of the Westerly  
14 right-of-way line of Kentucky Avenue as platted in Washington Elm Addition to the  
15 City of Fort Wayne, Indiana, all being in Riverside Second Addition to the City of  
16 Fort Wayne, Indiana, also together with Lot No. 58, Riverside Second Addition to  
17 the City of Fort Wayne, Indiana, also together with the East 54.45 feet of Lot  
18 Number 59 in Riverside Second Addition to the City of Fort Wayne, Indiana,  
19 further together with Lots Numbered 1, 2, 3, 4 and 5 in Washington Elm Addition  
20 to the City of Fort Wayne, Allen County, Indiana.

21 and the symbols of the City of Fort Wayne Zoning Map No. N-22, as established by  
22 Section 157.016 of Title XV of the Code of the City of Fort Wayne, Indiana are hereby  
23 changed accordingly.

24 SECTION 2. That this Ordinance shall be in full force and effect from and after  
25 its passage and approval by the Mayor.

26  
27   
28 Councilmember

29 APPROVED AS TO FORM AND LEGALITY:

30  
31   
32 J. TIMOTHY MCSAULAY, CITY ATTORNEY

Read the first time in full and on motion by Borrie,  
and duly adopted, read the second time by title and referred to the  
Committee on Resolutions (and the City Plan Commission  
for recommendation) and Public Hearing to be held after due legal notice, at  
the Common Council Council Conference Room 128, City-County Building, Fort  
Wayne, Indiana, on 4-25-95, the 19 day of April at 11:30 o'clock

M., E.S.T.

DATED:

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Edmonds,  
and duly adopted, placed on its passage. PASSED LOSS  
by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT
TOTAL VOTES	<u>7</u>			<u>2</u>
BRADBURY				<u>1</u>
EDMONDS	<u>1</u>			
GIAQUINTA				<u>1</u>
HENRY	<u>1</u>			
LONG	<u>1</u>			
LUNSEY	<u>1</u>			
RAVINE	<u>1</u>			
SCHMIDT	<u>1</u>			
TALARICO	<u>1</u>			

DATED:

6-13-95

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne,  
Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL)  
(SPECIAL) (ZONING) ORDINANCE RESOLUTION NO. 2-01-95  
on the 13th day of June, 19 95

ATTEST:

(SEAL)

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Don J. Schmitter  
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on  
the 14th day of June, 19 95,  
at the hour of 11:30 o'clock A., M., E.S.T.

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 14th day of June,  
19 95, at the hour of 1:00 o'clock P. M., E.S.T.

PAUL HELMKE  
PAUL HELMKE, MAYOR

BILL NO. ~~6-95-00-15~~ 2-95-04-15

REPORT OF THE COMMITTEE ON  
REGULATIONS  
CLETUS R. EDMONDS - REBECCA J. RAVINE - CO-CHAIR  
ALL COUNCIL MEMBERS

WE, YOUR COMMITTEE ON REGULATIONS TO WHOM WAS  
REFERRED AN (ORDINANCE) (~~RESOLUTION~~) AMENDING CHAPTER 91 OF THE  
CITY OF FORT WAYNE CODE OF LAWS

Amending the city of Ft Wayne  
Zoning Map # 0-22

HAVE HAD SAID (ORDINANCE) (~~RESOLUTION~~) UNDER CONSIDERATION  
AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID  
(ORDINANCE) (~~RESOLUTION~~)

<u>DO PASS</u>	<u>DO NOT PASS</u>	<u>ABSTAIN</u>	<u>NO REC</u>
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Rebecca Ravine

Sam Talarico

Mike Smith

OSB

Phil Edwards

Cletus Edmonds

DATED: 6-12-95

Sandra E. Kennedy  
City Clerk

CP# 36108

COMMUNITY & ECONOMIC DEVELOPMENT

FT. WAYNE, IN., March 15

RECEIVED FROM Vinograd

THE SUM OF Three hundred

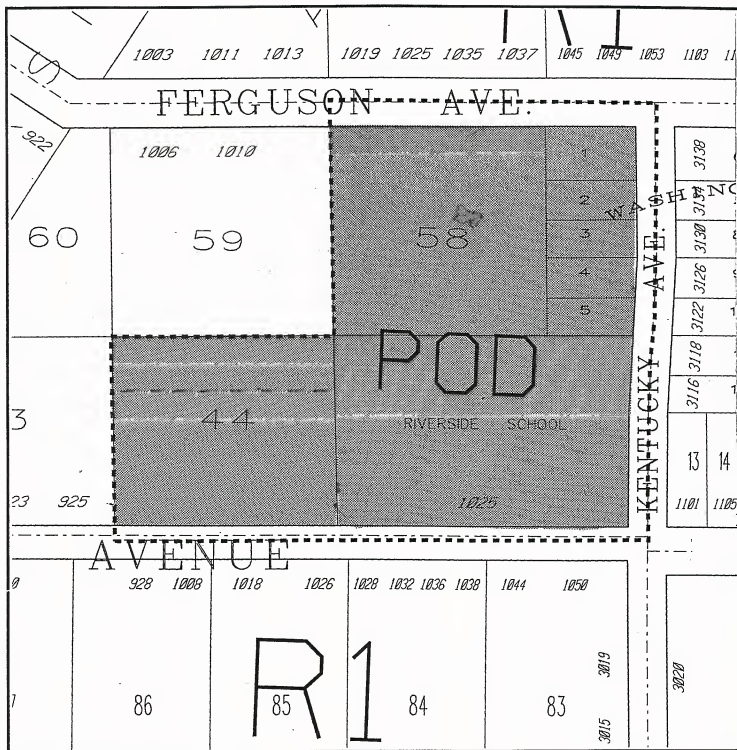
ON ACCOUNT OF REZONING

PAID BY: CASH ☐ CHECK ☒ M.O. ☐

# REZONING PETITION

AREA MAP

CASE NO. #580



COUNCILMANIC DISTRICT NO. 3

Map No. N - 22  
LW 3-22-95

<b>R1</b>	One-Family	<b>B1</b>	Limited Business	<b>M1</b>	Light Industrial
<b>R2</b>	Two-Family	<b>B2</b>	Planned Shopping Center	<b>M2</b>	General Industrial
<b>R3</b>	Multi-Family	<b>B3</b>	General Business	<b>M3</b>	Heavy Industrial
<b>RA/RB</b>	Residential	<b>B4</b>	Roadside Business	<b>MHP</b>	Mobile Home Park
<b>PUD</b>	Planned Unit Dev.	<b>POD</b>	Professional Office District		



# Petition for a Zoning Map Amendment

Community & Economic Development / 1 Main Street Rm 830 / Fort Wayne, IN 46802 / (219) 427-1140

I/We VINEYARD CHRISTIAN FELLOWSHIP, INC. do hereby petition to  
amend the Zoning Map of the City of Fort Wayne Indiana, by reclassifying from a/an POD (Planned Office Dev)  
designation to a/an R-1 designation, the property located at the common street  
address of: 1025 Vance Avenue  
and further described as follows:

Northwest corner of Vance Ave. & Kentucky (former Riverside Elementary)

[See Attached Legal Description]

(Please attach a legal description if more space is needed.)

The purpose of this proposed rezoning is to permit the use of the property for the following:  
A church, or any other permitted use allowable under the requested zoning  
classification.

Property owners Name(s): Zohrab K. Tazian

Street Address: 345 W. Wayne Street

City: Fort Wayne State: IN Zip: 46802 Phone: 219/424-3232

Applicants Name (if different from above): VINEYARD SHRISTIAN FELLOWSHIP, INC.

Street Address: 1025 Vance Avenue

City: Fort Wayne State: IN Zip: 46805 Phone: 219/483-1770

I/We the undersigned, do hereby certify that I am/We are the owner(s) of more than fifty percent (50%)  
of the property described in this petition; that I/we agree to abide by all provisions of the Fort Wayne  
Zoning Ordinance as well as all procedures and policies of the Fort Wayne City Plan Commission as  
relating to the handling and disposition of this petition; and that the above information is true and  
accurate to the best of my/our knowledge.

Signature

Printed Name

Date

Signature

Printed Name

Date

Signature

Printed Name

Date

## Notes to the Applicant:

- If additional space is needed for either a legal description, or property owners names addresses and signatures, please attach same to this form.
- All requests for deferrals, continuances, withdrawals, or request that the ordinance be taken under advisement shall be filed in writing and be submitted to the City Plan Commission prior to the legal notice being submitted to the newspaper for publication.
- Filing of this petition grants the City of Fort Wayne permission to post "Official Notice" on the petitioned property. Failure to post, or to maintain posting may prevent the public hearing from being held.
- All checks should be made payable to: City of Fort Wayne.

## Name and address of preparer, attorney or agent.

Mr. Warren Walters

219/485-3318

8305 Ramshire Lane

Telephone Number

Fort Wayne, IN 46835

Form Rez494

Receipt #:

Date Filed:

Map #:

Reference #:

LEGAL DESCRIPTION

1025 Vance Ave.

Lot Number 44 in Riverside Second Addition to the City of Fort Wayne, Indiana, together with Lot #45 and all that part of Lot #46 lying Westerly of the Westerly right-of-way line of Kentucky Avenue as platted in Washington Elm Addition to the City of Fort Wayne, Indiana, all being in Riverside Second Addition to the City of Fort Wayne, Indiana, also together with Lot No. 58, Riverside Second Addition to the City of Fort Wayne, Indiana, also together with the East 54.45 feet of Lot Number 59 in Riverside Second Addition to the City of Fort Wayne, Indiana, further together with Lots Numbered 1, 2, 3, 4 and 5 in Washington Elm Addition to the City of Fort Wayne, Allen County, Indiana.

## RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on April 25, 1995 referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated Bill No. Z-95-04-15; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on April 17, 1995.

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that this ordinance be returned to the Common Council with a DO PASS recommendation based on the Commission's following "Findings of Fact".

- (1) the grant will not be injurious to the public health, safety, morals, and general welfare of the community;
- (2) the use or value of the area adjacent to the property included in the rezoning will not be affected in a substantially adverse manner;
- (3) the need for the rezoning arises from some condition peculiar to the property involved and the condition is not due to the general conditions of the neighborhood;
- (4) the strict application of the terms of the zoning ordinance will constitute an unusual and unnecessary hardship if applied to the property for which the rezoning is sought; and,
- (5) the grant does not interfere substantially with the comprehensive plan adopted under the 500 series of the metropolitan development law.

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held May 15, 1995.

Certified and signed this  
16th day of May 1995.



---

Carol Kettler Sharp  
Secretary





## THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ROOM 122 • FORT WAYNE, INDIANA 46802 • 219-427-1221

SANDRA E. KENNEDY, CITY CLERK

June 19, 1995

Ms. Connie Lambert  
Fort Wayne Newspapers, Inc.  
600 West Main Street  
Fort Wayne, IN 46802

Dear Ms. Lambert:

Please give the attached full coverage on the dates of June 22, 1995,  
and June 29, 1995, in both the News Sentinel and Journal Gazette.

RE: Legal Notice for Common Council  
of Fort Wayne, IN

Bill No. G-95-05-15  
Animal Control Ordinance

Please send us 3 copies of the Publisher's Affidavit from both  
newspapers.

Thank you.

Sincerely yours,

Sandra E. Kennedy  
City Clerk

SEK/ne  
ENCL: 1

# FACT SHEET

Z-95-04-15

BILL NUMBER

## Division of Community Development & Planning

BRIEF TITLE

Zoning Map Amendment

APPROVAL DEADLINE

REASON

From POD to R-1

### DETAILS

Specific Location and/or Address

1025 Vance Avenue

Reason for Project

As recommended by staff, this rezoning would provide for a more consistent zoning pattern in the area and still allow for the church and its ancillary uses.

Discussion (Including relationship to other Council actions)

17 April 1995 - Public Hearing

Warren Walters, parishioner of the Vineyard Christian Fellowship Church, appeared before the Commission. Mr. Walters stated that they are requesting the rezoning primarily to align the definition for the tract with the current use. He stated that they have no intention of now or in the future of utilizing the current zoning of POD.

Ross Eagle a resident of the area and a member of the Northside Neighborhood Association appeared before the Commission. Mr. Eagle stated that the association is in favor of the rezoning and that they consider the church a good neighbor.

There was no one else present who spoke in favor of or in opposition to the proposed rezoning.

### POSITIONS

### RECOMMENDATIONS

Sponsor

City Plan Commission

Area Affected

City Wide

Other Areas

Applicants/  
Proponents

Applicant(s)  
Vineyard Christian Fellowship,  
Inc.  
City Department

Other

Opponents

Groups or Individuals

Basis of Opposition

Staff  
Recommendation

☒ For ☐ Against

Reason Against

Board or  
Commission  
Recommendation

By

☒ For ☐ Against  
☐ No Action Taken

☐ For with revisions to conditions  
(See Details column for conditions)

CITY COUNCIL  
ACTIONS  
(For Council  
use only)

☐ Pass ☐ Other  
☐ Pass (as  
amended) ☐ Hold  
☐ Council Sub. ☐ Do not pass

DETAILS

22 May 1995 - Business Meeting

Motion was made and seconded to return the ordinance to the Common Council with a Do Pass recommendation.

Of the seven (7) members present, six (6) voted in favor of the motion, the Chair did not vote.

Motion carried.

Members Present: Linda Buskirk, Ernest Evans, Thomas Quirk, Dave Ross, Carol Kettler Sharp, Mel Smith, Vicky VerPlanck

Members Absent: James Hoch, Donald Schmidt

POLICY/ PROGRAM IMPACT

Policy or Program Change	<input type="checkbox"/> No <input type="checkbox"/> Yes
Operational Impact Assessment	

(This space for further discussion)

Project Start Date 15 March 1995

Projected Completion or Occupancy Date 16 May 1995

Fact Sheet Prepared by Date 16 May 1995

Patricia Biancanello

Reviewed by

Date 18 May 1995

Reference or Case Number

#580  
ORIGINAL

ORIGINAL

DIGEST SHEET

TITLE OF ORDINANCE Zoning Map Amendment

DEPARTMENT REQUESTING ORDINANCE Land Use Management - C&ED

SYNOPSIS OF ORDINANCE 1025 Vance Avenue

Z-95-04-15

EFFECT OF PASSAGE Property is currently zoned POD - Professional Office District. Property would be zoned R-1 - Single Family Residential.

EFFECT OF NON-PASSAGE Property will remain zoned POD - Professional Office District.

MONEY INVOLVED (Direct Costs, Expenditures, Savings) \_\_\_\_\_

(ASSIGN TO COMMITTEE) \_\_\_\_\_